

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BAORD OF PUERTO RICO

PROMESA
Tittle III

As representative of

Case No. 17-BK-3283 (LTS)

THE COMMONWEALTH OF PUERTO RICO et
al.,

(Jointly Administered)

Debtors.¹

**MOTION FOR LEAVE TO
APPEAR AND BE HEARD AS PARTY IN INTEREST**

TO THE HONORABLE COURT:

COMES NOW, Party in Interest, Industria Lechera de Puerto Rico, Inc. (“Indulac”), represented by the undersigned attorneys, who respectfully prays as follows:

1. On August 3rd, 2020, Suiza Dairy Corp. (“Suiza”) filed *Urgent Motion Requesting a Ruling or Entry of Comfort Order as to the Non-Applicability of the Automatic Stay to a Limited Controversy with the Commonwealth of Puerto Rico arising Post-Petition and having Post-Petition Effects but Partially Based on a Pre-Petition Judgment Incorporating Milk Regulations Established by the United States District Court*

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Puerto rico Sales tax financing Corporation (“COFINA”) Rico (Bankruptcy Case No. 17-BK-3284 (LTS) (Last Four Digits of Federal Tax ID: 8474); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747).

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for the District of Puerto Rico and Not Involving Property of the Debtor or its Estate
(“Urgent Motion”) against Commonwealth of Puerto Rico. *See* Dkt. No. 13938.

2. On August 4th, 2020, the Honorable Court ordered and established that any filing for Opposition papers to the Urgent Motion must be filed by August 17th, 2020 at 5:00pm (Atlantic Standard Time). *See* Dkt. No. 13944.

3. Indulac respectfully requests leave to appear as party in interest.

4. Pursuant to Rule 2018(a) of the Federal Rules of Bankruptcy Procedure, “after hearing on such notice as the court directs and for cause shown, the court may permit any interested entity to intervene generally or with respect to any specified matter”.²

5. Indulac has special interest in the outcome of the Urgent Motion regarding Administrative Order 2020-22 issued by the Administrator of the Puerto Rico Office of Regulation of Milk Industry, because Indulac will be directly affected by any determination on the validity of said Administrative Order.

WHEREFORE, it is respectfully requested that the Honorable Court takes notice of the above and grants Indulac leave to appear as party in interest regarding the matter discussed in Suiza’s Urgent Motion.

RESPECTFULLY SUBMITTED.

In Guaynabo, Puerto Rico, on this 17th day of August 2020.

² “The Federal Rules of Bankruptcy Procedure shall apply to a case under [PROMESA] and to all civil proceedings arising in or related to cases under [PROMESA].” 48 U.S.C. §2170.

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WE HEREBY CERTIFY that on the same date, a copy of this Notice was filed through the Court's CM/ECF System, which sends notifications of such filing to all counsels of record who have registered for receipt of notice by electronic mail.

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